

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

Paul Michael Robinson, M.D.

Case No. 800-2018-044256

**Physician's and Surgeon's
Certificate No. G 72600**

Respondent


DECISION

The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 7, 2019.

IT IS SO ORDERED February 28, 2019.

MEDICAL BOARD OF CALIFORNIA

By: 
**Kimberly Kirchmeyer
Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 JASON J. AHN
Deputy Attorney General
4 State Bar No. 253172
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9433
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9
10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 800-2018-044256

15 **PAUL MICHAEL ROBINSON, M.D.**
16 **9730 Calendula Avenue**
Westminster, CA 92683-6916

17 **Physician's and Surgeon's Certificate**
18 **No. G 72600**

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

19 Respondent.

20
21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
25 of California (Board). She brought this action solely in her official capacity and is represented in
26 this matter by Xavier Becerra, Attorney General of the State of California, by Jason J. Ahn,
27 Deputy Attorney General.

28 ///

1 2. Paul Michael Robinson, M.D., (Respondent) is representing himself in this
2 proceeding and has chosen not to exercise his right to be represented by counsel.

3 3. On or about October 1, 1991, the Board issued Physician's and Surgeon's Certificate
4 No. G 72600 to Paul Michael Robinson, M.D. (Respondent). The Physician's and Surgeon's
5 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
6 No. 800-2018-044256 and will expire on April 30, 2019, unless renewed.

7 **JURISDICTION**

8 4. On or about January 29, 2019, Complainant Kimberly Kirchmeyer, in her official
9 capacity as the Executive Director of the Board, filed Accusation No. 800-2018-044256 against
10 Respondent. On or about January 29, 2019, the Accusation and all other statutorily required
11 documents were properly served on Respondent at his address of record on file with the Board
12 which was: 9730 Calendula Avenue, Westminster, CA 92683. Respondent timely filed his
13 Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2018-044256 is
14 attached as Exhibit A and incorporated by reference.

15 **ADVISEMENT AND WAIVERS**

16 5. Respondent has carefully read, and fully understands the charges and allegations in
17 Accusation No. 800-2018-044256. Respondent also has carefully read, and fully understands the
18 effects of this Stipulated Surrender of License and Disciplinary Order.

19 6. Respondent is fully aware of his legal rights in this matter, including the right to a
20 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
21 his own expense; the right to confront and cross-examine the witnesses against him; the right to
22 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
23 the attendance of witnesses and the production of documents; the right to reconsideration and
24 court review of an adverse decision; and all other rights accorded by the California
25 Administrative Procedure Act and other applicable laws.

26 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
27 every right set forth above.

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

9. Respondent fully understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

11. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

21
22
23
24
25
26
27
28

1 matter affecting or involving Respondent. In the event that the Executive Director on behalf of the
2 Board does not, in her discretion, approve and adopt this Stipulated Surrender of License and
3 Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of
4 no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary
5 action by either party hereto. Respondent further agrees that should this Stipulated Surrender of
6 License and Disciplinary Order be rejected for any reason by the Executive Director on behalf of
7 the Board, Respondent will assert no claim that the Executive Director, the Board, or any member
8 thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated
9 Surrender of License and Disciplinary Order or of any matter or matters related hereto.

10 **ADDITIONAL PROVISIONS**

11 13. This Stipulated Surrender of License and Disciplinary Order is intended by the parties
12 herein to be an integrated writing representing the complete, final, and exclusive embodiment of
13 the agreements of the parties in the above-entitled matter.

14 14. The parties agree that copies of this Stipulated Surrender of License and Disciplinary
15 Order, including copies of the signatures of the parties, may be used in lieu of original documents
16 and signatures and, further, that such copies shall have the same force and effect as originals.

17 15. In consideration of the foregoing admissions and stipulations, the parties agree the
18 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
19 the following Disciplinary Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 72600, issued
22 to Respondent Paul Michael Robinson, M.D., is surrendered and accepted by the Board.

23 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
24 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
25 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
26 of Respondent's license history with the Board.

27 2. Respondent shall lose all rights and privileges as a Physician and Surgeon in
28 California as of the effective date of the Board's Decision and Order.

1 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
2 issued, his wall certificate on or before the effective date of the Decision and Order.

3 4. If Respondent ever files an application for licensure or a petition for reinstatement in
4 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
5 comply with all the laws, regulations, and procedures for reinstatement of a revoked or
6 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
7 contained in Accusation No. 800-2018-044256 shall be deemed to be true, correct and admitted
8 by Respondent when the Board determines whether to grant or deny the petition.

9 **Condition Precedent to Reinstatement**

10 As a condition precedent to reinstatement, Respondent shall undergo and complete a
11 psychiatric evaluation (and psychological testing, if deemed necessary) by a Board-appointed
12 board certified psychiatrist, who shall consider any information provided by the Board or its
13 designee and any other information the psychiatrist deems relevant, and shall furnish a
14 written evaluation report to the Board or its designee. If the Board or its designee concludes
15 from the results of the evaluation that Respondent is unable to practice independently and
16 safely, Respondent shall not be reinstated to engage in the practice of medicine. As a
17 condition precedent to reinstatement, Respondent shall complete any and all conditions,
18 recommended by the evaluating psychiatrist. Respondent shall pay the cost of all
19 psychiatric evaluations and psychological testing.

20 5. If Respondent should ever apply or reapply for a new license or certification, or
21 petition for reinstatement of a license, by any other health care licensing agency in the State of
22 California, all of the charges and allegations contained in Accusation, No. 800-2018-044256 shall
23 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
24 Issues or any other proceeding seeking to deny or restrict licensure.

25 ///



26 ///

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

DATED: 2/20/2019

MD  

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Respectfully submitted,

[Handwritten signature]

JASON J. AHN
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 800-2018-044256

XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General
JASON J. AHN
Deputy Attorney General
State Bar No. 253172
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9433
Facsimile: (619) 645-2061

Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 800-2018-044256

Paul Michael Robinson, M.D.
9730 Calendula Avenue
Westminster, CA 92683-6916

ACCUSATION

Physician's and Surgeon's Certificate
No. G 72600,

Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about October 1, 1991, the Medical Board issued Physician's and Surgeon's Certificate Number G 72600 to Paul Michael Robinson, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought

1 herein and will expire on April 30, 2019, unless renewed.

2 **JURISDICTION**

3 3. This Accusation is brought before the Board, under the authority of the following
4 laws. All section references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2227 of the Code states:

6 “(a) A licensee whose matter has been heard by an administrative law judge of
7 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
8 Code, or whose default has been entered, and who is found guilty, or who has entered
9 into a stipulation for disciplinary action with the board, may, in accordance with the
10 provisions of this chapter:

11 “(1) Have his or her license revoked upon order of the board.

12 “(2) Have his or her right to practice suspended for a period not to exceed one
13 year upon order of the board.

14 “(3) Be placed on probation and be required to pay the costs of probation
15 monitoring upon order of the board.

16 “(4) Be publicly reprimanded by the board. The public reprimand may include
17 a requirement that the licensee complete relevant educational courses approved by the
18 board.

19 “(5) Have any other action taken in relation to discipline as part of an order of
20 probation, as the board or an administrative law judge may deem proper.

21 “(b) Any matter heard pursuant to subdivision (a), except for warning letters,
22 medical review or advisory conferences, professional competency examinations,
23 continuing education activities, and cost reimbursement associated therewith that are
24 agreed to with the board and successfully completed by the licensee, or other matters
25 made confidential or privileged by existing law, is deemed public, and shall be made
26 available to the public by the board pursuant to Section 803.1.”

27 ///

28 ///

1 5. Section 2234 of the Code, states:

2 “The board shall take action against any licensee who is charged with unprofessional
3 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
4 limited to, the following:

5 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
6 violation of, or conspiring to violate any provision of this chapter.

7 “...”

8 6. Section 2236 of the Code states:

9 “(a) The conviction of any offense substantially related to the qualifications, functions, or
10 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this
11 chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction
12 occurred.

13 “...”

14 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
15 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
16 shall be conclusive evidence of the fact that the conviction occurred.”

17 7. California Code of Regulations, title 16, section 1360, states:

18 “For the purposes of denial, suspension or revocation of a license, certificate or
19 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime
20 or act shall be considered to be substantially related to the qualifications, functions or
21 duties of a person holding a license, certificate or permit under the Medical Practice
22 Act if to a substantial degree it evidences present or potential unfitness of a person
23 holding a license, certificate or permit to perform the functions authorized by the
24 license, certificate or permit in a manner consistent with the public health, safety or
25 welfare. Such crimes or acts shall include but not be limited to the following:
26 Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
27 violation of, or conspiring to violate any provision of the Medical Practice Act.”

28 ///

1 8. Unprofessional conduct under Business and Professions Code section 2234 is conduct
2 which breaches the rules or ethical code of the medical profession, or conduct which is
3 unbecoming a member in good standing of the medical profession, and which demonstrates an
4 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,
5 575.)

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Conviction of a Crime Substantially Related to the Qualifications,**
8 **Functions, or Duties of a Physician and Surgeon)**

9 **Federal Court Conviction**

10 9. Respondent has subjected his Physician's and Surgeon's Certificate No. G 72600 to
11 disciplinary action under sections 2227 and 2234, as defined by section 2236, subdivision (a), of
12 the Code, in that he has been convicted of a crime substantially related to the qualifications,
13 functions, or duties of a physician and surgeon, as more particularly alleged hereinafter:

14 10. On or about June 12, 2015, in a Grand Jury Indictment, Respondent was federally
15 indicted in the case entitled, "*United States of America v. Paul Robinson (1), Levon Tovmassian*
16 *(2), Hasmik Senekerimyan (3), Nazar Muradyan (4)*, Case No. 3:15-cr-01572-BAS. Respondent
17 was charged with the following: one count of a violation of 18 U.S.C. § 371 [Conspiracy], eighteen
18 counts of violations 18 U.S.C. § 1347 and 2 [Health Care Fraud], and one count of a violation of
19 18 U.S.C. § 1516 [Obstruction of Federal Audit].

20 11. On or about October 11, 2016, Respondent pled guilty to a one-count superseding
21 information charging Obstruction of a Health Care Investigation, a violation of 18 U.S.C. § 1518.
22 The elements of the offense to which Respondent pled guilty are: (1) The defendant willfully misled
23 or obstructed the communication of information to a criminal investigator; (2) The information
24 related to a violation of a Federal health care offense; and (3) The criminal investigator was an
25 individual duly authorized by the United States to conduct or engage in investigations for violations
26 of health care offenses.

27 ///

28 ///

1 12. As part of the plea agreement, Respondent admitted to the following factual basis:

2 (a) Defendant, a physician licensed by the State of California Medical Board, agreed with
3 Gevorg Kupelian (charge elsewhere) that Defendant would serve as the owner and physician for
4 the El Centro Clinic at 485 Broadway Street, Suites C and D, in El Centro, California;

5 (b) . On or about June 1, 2012, as part of their agreement, Defendant signed an application
6 for a Medicare provider number for the Clinic, certifying that, among other things: he would abide
7 by the Medicare laws, regulations and program instructions; he would not knowingly present or
8 cause to be presented a false or fraudulent claim for payment; he would not submit claims with
9 deliberate ignorance or reckless disregard of their truth or falsity; and he was the individual
10 practitioner who was applying for Medicare billing privileges;

11 (c) From September 2012 to February 2014, Kupelian, with Defendant's consent, used
12 Defendant's provider number to submit claims to Medicare for the treatment of Medicare
13 beneficiaries at the Clinic;

14 (d) During that same period, co-defendant Levon Tovmassian posed – falsely – as a
15 Physician's Assistant ("PA") at the Clinic. Tovmassian saw and treated patients at the Clinic,
16 holding himself out as a PA – despite not having a license from the State of California to practice
17 as a PA – and ordered tests that were eventually billed to Medicare;

18 (e) On or about February 20, 2014, within the Southern District of California, in
19 connection with a criminal investigation into the billing practices of the El Centro Clinic, Defendant
20 was interviewed by Special Agent A.B. of the Department of Health and Human Services, Office
21 of the Inspector General;

22 (f) At the time of the interview, Special Agent A.B. was a criminal investigator duly
23 authorized by the United States Department of Health and Human Services, Office of the Inspector
24 General (HHS-OIG), to conduct investigations for violations of health care offenses;

25 (g) During the February 20, 2014 interview, Defendant willfully made a false statement to
26 Special Agent A.B., that is, Defendant said that co-defendant Tovmassian was a licensed PA, even
27 though Defendant knew that Tovmassian was not licensed and was not authorized by the State of
28 California to practice as a PA;

1 (h) When he made the false statement to Special Agent A.B., Defendant acted with the
2 intent to obstruct the HHS-OIG investigation into fraudulent billings at El Centro Clinic, knowing
3 that his conduct was unlawful; and

4 (i) Based on bills submitted by Kupelian using Defendant's provider number, Medicare
5 paid approximately \$1,298,371.00 to an account in Defendant's name for charges associated with
6 the El Centro Clinic. Of that total, Defendant retained approximately \$340,000.00, and transferred
7 the rest to Kupelian for distribution to co-conspirators.

8 13. On or about March 13, 2017, Respondent was sentenced to, among other things, six (6)
9 months in federal prison and a restitution amount of \$340,000.00 to the United States of America.

10 **State Court Conviction**

11 14. On or about December 5, 2014, Deputies from the Los Angeles County Sheriff's
12 Department (Deputies) responded to a location within Los Angeles County, State of California,
13 regarding a possible traffic accident and a possible battery. Upon arrival, the Deputies spoke with
14 M.C., who stated that he was driving his car when he saw Respondent standing in the middle of a
15 street. M.C. attempted to go around Respondent, who then began yelling. Respondent stopped in
16 front of M.C.'s car and yelled, "you [M.C.] hit me." Respondent later admitted to the Deputies that
17 he was never actually struck by M.C.'s car. M.C. rolled down the driver's side window and told
18 Respondent to move out of the street. Respondent then spat on the front windshield of M.C.'s
19 truck, and slammed both of his fists on the hood of M.C.'s truck. M.C. again yelled Respondent to
20 move out of the road. Respondent walked around to the driver's side door and when M.C. rolled
21 up his window, Respondent spat on M.C.'s driver side window.

22 15. M.C. attempted to drive forward to leave the scene. Respondent reached for the
23 driver's side door handle and tried to open the door. M.C. held on to the inside of the door to keep
24 it closed. Respondent continued to pull on the driver's side door while M.C. was holding it, causing
25 the interior door molding to separate from the exterior door.

26 16. M.C. heard Respondent yell multiple times, "I am going to kill you!" M.C. continued
27 to hold on to the driver's side door while Respondent yelled at M.C. demanding M.C. to get out of
28 the car. M.C. pleaded with Respondent to leave M.C. alone. Respondent released his grip on the

1 driver's side door, walked to his house nearby, and stood in his driveway.

2 17. M.C. exited from his car to see if Respondent caused any more damages to M.C.'s car.
3 Respondent then approached M.C. and attempted to wipe the spit off of the driver's side door with
4 his arm. M.C. told Respondent to get away from M.C. and called the police. M.C. pushed
5 Respondent's arm off of M.C.'s driver's side window while Respondent was attempting to wipe
6 the spit off of it. Respondent then struck M.C. on the right side of his face with a backhanded
7 closed fist, leaving a red mark on M.C.'s cheek.

8 18. The Deputies arrested Respondent for making criminal threats in violation of Penal
9 Code Section 422(a) and Vandalism in violation of Penal Code Section 594.

10 19. On or about January 14, 2015, the Los Angeles County District Attorney's Office filed
11 a felony criminal complaint against Respondent, entitled, *The People of the State of California vs.*
12 *Paul Michael Robison, aka Paul Robinson*, Superior Court of State of California, for the County of
13 Los Angeles, Case No. MA065109. Count 1 alleged that on or about December 5, 2014, in the
14 County of Los Angeles, Respondent committed the crime of CRIMINAL THREATS, in violation
15 of Penal Code Section 422(a), a Felony, by willfully and unlawfully threatening to commit a crime
16 which would result in death and great bodily injury to M.C., with the specific intent that the
17 statement be taken as a threat. Count 2 alleged that on or about December 5, 2014, in the County
18 of Los Angeles, Respondent committed the crime of VANDALISM OVER \$400 DAMAGE, in
19 violation of Penal Code Section 594(a), a Felony, by unlawfully and maliciously damaging and
20 destroying real and personal property, to wit, 2000 CHEVY SILVERADO CA 6H50459, belonging
21 to M.C., with the damage inflicted totaling over \$400.00.

22 20. On or about March 7, 2016, Respondent pled *nolo contendere* to Count 2, a violation
23 of Penal Code Section 594(a), VANDALISM \$400 DAMAGE, a Felony. On or about March 7,
24 2017, Respondent was sentenced to a formal probation of five (5) years, one day in jail, 90 days of
25 community service, twenty-four (24) anger management classes, and various fines and fees.

26 ///

27 ///

28 ///

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Dishonesty or Corruption)**

3 21. Respondent has further subjected his Physician's and Surgeon's Certificate No.
4 G 72600 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
5 subdivision (e), of the Code, in that he has committed an act or acts of dishonesty or corruption,
6 as more particularly alleged in paragraphs 9 through 13, above, which are hereby incorporated by
7 reference and realleged as if fully set forth herein.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(General Unprofessional Conduct)**

10 22. Respondent has further subjected his Physician's and Surgeon's Certificate No.
11 G 72600 to disciplinary action under sections 2227 and 2234, as defined by section 2234, of the
12 Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical
13 profession, or conduct which is unbecoming a member in good standing of the medical
14 profession, and which demonstrates an unfitness to practice medicine, as more particularly
15 alleged in paragraphs 9 through 21, above, which are hereby incorporated by reference and
16 realleged as if fully set forth herein.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:


1. Revoking or suspending Physician's and Surgeon's Certificate Number G 72600, issued to Paul Michael Robinson, M.D.;

2. Revoking, suspending or denying approval of Paul Michael Robinson, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Paul Michael Robinson, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: January 29, 2019


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant